**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.GIRI**

**WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929**

**WP(C).No. 31177 of 2007(J)**

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**PETITIONERS:**

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1. **JIJU KRISHNAN T.U., S/O.T.R.UNNIKRISHNAN, H.NO.M26, A3, INDIRA NAGAR COLONY, KALLEPULLY P.O. PALAKKAD DISTRICT.**

2. **GOPAKUMAR R., S/O.K.M.RADHAKRISHNAN NAIR, PRANAVAM HOUSE, KIDANGOOR P.O., KAOOTAYAM DIST.**

3. **ANISH KUMAR.S., S/O.N.K.SIVASANKARA PILLAI, NEDUMPALA HOUSE, KULATHUR P.O., VAIPUR VIA., PATHANAMTHITTA DISTRICT.**

4. **VIVEK V.L., SREE VIHAR, KUDASSANAD P.O., PANDALAM.**

5. **SHINU S., S/O.SUDHAKARAN, SUDHAKARA VILASAM,VILAKKUPARA P.O. ELAVARAMKUZHY, KOLLAM DISTRICT.**

6. **RAJEEV M.R., S/O.RAVINDRAN NAIR, MANNIPLACKAL HOUSE, KUNNONNY P.O., POONJAR THEKKEKARA VILLAGE, KOTTAYAM DIST.**

7. **ANISHKUMAR.S., S/O.SASIDHARAN NAIR, ORUPPAKKATTU, NEDUMKUNNAM P.O., KOTTAYAM DIST.**

**BY ADV. SRI.KALEESWARAM RAJ**

**RESPONDENT:**

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**THE TRAVANCORE DEVASWOM BOARD, NANTHANCODE, THIRUVANANTHAPURAM, REPRESENTED BY THE PRESIDENT, TRAVANCORE DEVASWOM BOARD, NANTHANCODE, THIRUVANANTHAPURAM.**

**BY ADV. SRI.D.SREEKUMAR, SC, TDB**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**V.GIRI,J.**

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**W.P ( C) No. 31177 of 2007**

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**Dated this the 7th November, 2007**

**J U D G M E N T**

Petitioners are included in Exhibit-P1 select list for appointment to the post of Devaswom Strong Room Guard. The list was published on 21.10.2005. It is valid till 21.10.2008. According to the petitioners, persons up to Serial No.18 in Exhibit-P1 select list have already been appointed. Last appointment effected was on 3.4.2006. They contend that there are 9 vacancies in the said post. Details of the same are given in para 3 of the writ petition. Petitioners' seek a direction to the Board to continue to enforce Exhibit-P1 list in which case the petitioners also stand a chance of being appointed, they submit.

2. Sri.D.Sreekumar, Standing Counsel for the Devaswom Board submits that Exhibit-P1 select list like certain other selections effected by the previous Board are under review by the High Power Commission headed by a former Judge of the Supreme Court inquiring into the allegations of impropriety committed by the previous Board. Report is awaited. Further action will be taken on the basis of the report. The list in question is due to expire on 21.10.2008.

3. If the Board has conducted a selection, normally the

selection should prevail. If there are reasons to suspect that the selection process was vitiated, there is nothing which prevents the Board from reviewing the selection as a measure of correctional exercise. But it is necessary that a decision be taken by the Board as to whether they want to continue to operate Exhibit-P1 list or whether they would prefer conducting a fresh selection. This Court cannot at this stage express any opinion in this regard nor does it arise for consideration in the present writ petition.

4. In the facts and circumstances of the case, I direct the respondent Board to take a decision as to whether they want to continue to enforce Exhibit-P1 list or whether steps will be taken to conduct a fresh selection, at the latest by 31.5.2008. Enforcement of Exhibit-P1 list will depend upon the decision to be taken by the Board. Obviously persons included in Exhibit-P1 list will stand a chance to be appointed, provided the Board takes a decision to retain the list as such.

The writ petition is disposed of as above.

**(V.GIRI, JUDGE)**

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**K.THANKAPPAN,J**

**CRL.A. NO.92 OF 1999**

**ORDER**

**25th May, 2007**